

House Study Bill 124

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CHAIRPERSON SMITH)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the licensing and inspection of hospitals.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 1926YC 83
4 jr/nh/14

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1 1 Section 1. Section 135B.9, Code 2009, is amended to read
1 2 as follows:
1 3 135B.9 INSPECTIONS AND QUALIFICATIONS FOR HOSPITAL
1 4 INSPECTORS == PROTECTION AND ADVOCACY AGENCY INVESTIGATIONS.
1 5 1. The department shall make or cause to be made
1 6 inspections as it deems necessary in order to determine
1 7 compliance with applicable rules. Hospital inspectors shall
1 8 meet the following qualifications:
1 9 a. Upon hire, have been employed in a hospital within the
1 10 last two years and have current knowledge of hospital
1 11 operations.
1 12 b. Be free of conflicts of interest and shall not
1 13 participate in an inspection or complaint investigation of a
1 14 hospital in which the inspector or a member of the inspector's
1 15 immediate family works or has worked within the last five
1 16 years. For purposes of this paragraph, "immediate family
1 17 member" means a spouse or a natural or adoptive parent, child,
1 18 or sibling.
1 19 c. Complete a yearly conflict of interest disclosure
1 20 statement. The department shall submit an annual conflict of
1 21 interest disclosure report compiling such conflict of interest
1 22 information to the hospital licensing board.
1 23 d. Complete a minimum of ten hours of continuing education
1 24 pertaining to hospital operations each year.
1 25 2. In the state resource centers and state mental health
1 26 institutes operated by the department of human services, the
1 27 designated protection and advocacy agency as provided in
1 28 section 135C.2, subsection 4, shall have the authority to
1 29 investigate all complaints of abuse and neglect of persons
1 30 with developmental disabilities or mental illnesses if the
1 31 complaints are reported to the protection and advocacy agency
1 32 or if there is probable cause to believe that the abuse has
1 33 occurred. Such authority shall include the examination of all
1 34 records pertaining to the care provided to the residents and
1 35 contact or interview with any resident, employee, or any other
2 1 person who might have knowledge about the operation of the
2 2 institution.
2 3 Sec. 2. Section 135B.11, Code 2009, is amended to read as
2 4 follows:
2 5 135B.11 FUNCTIONS OF HOSPITAL LICENSING BOARD ==
2 6 COMPENSATION.
2 7 1. The hospital licensing board shall have the following
2 8 responsibilities and duties:
2 9 1- a. To consult with and advise the department in
2 10 matters of policy affecting ~~administration of this chapter the~~
2 11 ~~licensure of hospitals in this state, and in the development~~
2 12 ~~of rules and standards provided for under this chapter.~~
2 13 2- b. To review and approve rules and standards
2 14 authorized under this chapter prior to their approval by the
2 15 state board of health and adoption by the department.
2 16 c. To review and approve legislative proposals regarding
2 17 the regulation of hospitals.
2 18 d. To make recommendations on practice issues and policy.
2 19 e. To review and approve education provided with licensure

2 20 fee funds. The education provided may cover any subject
2 21 matter relating to the licensure and operation of hospitals.

2 22 2. Each member of the board may also be eligible to
2 23 receive compensation as provided in section 7E.6.

2 24 EXPLANATION

2 25 This bill establishes explicit qualifications for persons
2 26 who inspect hospitals. Inspectors must have been employed in
2 27 a hospital, be free of conflicts of interest, and obtain
2 28 annual continuing education.

2 29 The bill also revises the role of the hospital licensing
2 30 board by enumerating the specific duties of the board,
2 31 including advising the department of inspections and appeals
2 32 concerning hospital licensure, approving legislative
2 33 proposals, making recommendations on practice issues and
2 34 policy, and reviewing and approving education provided through
2 35 licensure fee funds.

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